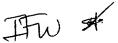
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PTO/SB/21 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number 09/733,691-Conf. #3233 Filing Date **TRANSMITTAL** December 7, 2000 **FORM** First Named Inventor Jeffrey D. Carnevali Art Unit 3632 **Examiner Name** G. W. Baxter (to be used for all correspondence after initial filing) 10 + 34 Attomey Docket Number Total Number of Pages in This Submission 20339/1202884-US1

	ENCLOSURES (Check all that apply)						
X Fee Transi	mittal Form	Drawing(s)		After Allowance Communication to TC			
X Fee	Attached	Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences			
Amendme	nt/Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
After	Final	Petition to Convert to a Provisional Application		Proprietary Information			
Affid	avits/declaration(s)	Power of Attorney, Revocation Change of Correspondence A		Status Letter			
Extension	of Time Request	Terminal Disclaimer		X Other Enclosure(s) (please Identify below):			
Express Al	bandonment Request	Request for Refund		Certificate of Express Mailing (1 page) Form SB-08 (2 pages)			
x Information Supplemen	n Disclosure Statement - ntal	CD, Number of CD(s)		Copies of 34 cited references Check in the amount of \$180.00 Return Receipt Postcard			
Certified C	opy of Priority (s)	Landscape Table on 0	CD				
	issing Parts/ Application	Remarks					
	y to Missing Parts under FR 1.52 or 1.53						
	SIGNATI	JRE OF APPLICANT, ATTOR	NEY, OR	AGENT			
Firm Name DARBY & DARBY F		P.C.					
Signature	165.16l	0					
Printed name	Bruce E. Black		. — .				
Date	January 26, 2007		Reg. No.	41,622			

PTO/SB/17 (07-06)
Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2006 X Applicant claims small entity status. See 37 CFR 1.27 Art Unit 363.2 TOTAL AMOUNT OF PAYMENT (\$) 180.00 Attomy Docket No. 20339/1202884-US1 METHOD OF PAYMENT (check all that apply) X Check Credit Card Money Order None Other (please identify): X Deposit Account Deposit Account Number 04-0100 Deposit Account Neme: Darby & Darby & Darby P.C. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below P.C. Charge fee(s) indicated below Charge fee(s) indicated below P.C. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (\$) F	Effective on 12/08/2004.	Complete if Known				
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Examiner Name G.W. Baxter X Applicant claims small entity status. See 37 CFR 1.27 Art Unit 3632	FEE TRANSMITTAL	Filing Date				
Application Type Fee (s) indicated below Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Application Type Fee (s) Fee Fee Fee (s) Fee Fee Fee Fee Fee Fee Fee Fee Fee Fe	For EV 2006	First Named Inventor		evali		
METHOD OF PAYMENT (check all that apply)	701112000	Examiner Name	G.W. Baxter			
METHOD OF PAYMENT (check all that apply) Separation Other (please identify):	X Applicant claims small entity status. See 37 CFR 1.27	Art Unit				
Check	TOTAL AMOUNT OF PAYMENT (\$) 180.00	Attorney Docket No.	20339/1202884	-US1		
Deposit Account Deposit Account Number: O4-0100 Deposit Account Name: Darby & Darby P.C.	METHOD OF PAYMENT (check all that apply)					
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee X Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 FEE CALCULATION I. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Fee (\$) Fee	x Check Credit Card Money Order No	- لــا				
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3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)		·				
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)						
	listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50					
	4. OTHER FEE(S)	- /- Calle up to a miloto maniber	,	Fees Pald (\$)		
Non-English Specification, \$130 fee (no small entity discount)						
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00						
SUBMITTED BY	SUBMITTED BY					
Pagistration No.	Signature B. B.O.		Telephone	(206) 262-8900		
	Name (Print/Type) Bruce E. Black	1,	Date .	January 26, 2007		



Docket No.: 20339/1202884-US1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jeffrey D. Carnevali

Application No.: 09/733,691

Confirmation No.: 3233

Filed: December 7, 2000

Art Unit: 3632

For:

(REISSUE OF USP 5,845,885)

Examiner: G. W. Baxter

UNIVERSALLY POSITIONABLE MOUNTING DEVICE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: (Check one of the boxes A-D)

within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below. (check one of the boxes "i" and "ii" below:) Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b)) (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS. x | ii. A check for the fee set forth in 1.17(p), presently believed to be \$180, is enclosed. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was (check one of the boxes "a" and "b" below:)

Application No.: 09/733,691

Docket No.: 20339/1202884-US1

(a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS. 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below. (check boxes A, B and/or C and fill in blanks, if appropriate.) x | A. Pursuant to the 37 C.F.R. § 1.98(a)(2)(ii), a copy/copies of the U.S. Patent(s) and/or U.S. Patent Application Publication(s) on PTO/SB08 is/are not being submitted. B. Document(s) _____is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed. C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120: << INSERT SERIAL NO. & FILING DATE>> Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application. _____ are not in the English language. In accordance with 1.98(c), Applicant states:

Application No.: 09/733,691

Docket No.: 20339/1202884-US1

Application No.: 09/733,691 Docket No.: 20339/1202884-US1

	An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
	The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
	A concise explanation of the relevance of document(s) is set forth as follows: [Insert concise explanation of relevance]
	A concise explanation of the relevance of document(s) can be found on page(s) of the specification.
	A concise explanation of document(s) can be found on the attached sheet.
x 4.	No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).
x 5.	Other information being provided for the examiner's consideration follows:

For the purpose of clarification, please note that when considering the Non-Patent Literature submitted herewith, the Plaintiff (and owner of the '885 patent and present patent application) is NATIONAL PRODUCTS, INC. and the Defendant is GAMBER-JOHNSON LLC.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

Application No.: 09/733,691 Docket No.: 20339/1202884-US1

A check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: January 26, 2007

Respectfully submitted,

Bruce E. Black

Registration No.: 41,622

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(206) 262-8900

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant

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PTO/SB/08A/B (09-06)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE work Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sub	stitute for form 1449/PTO			Complete if Known		
				Application Number	09/733,691-Conf. #3233	
IN	IFORMATION	l DI	SCLOSURE	Filing Date	December 7, 2000	
S	TATEMENT E	3Y /	APPLICANT	First Named Inventor	Jeffrey D. Carnevali	
				Art Unit	3632	
	(Use as many she	eets as	necessary)	Examiner Name	G. W. Baxter	
Sheet	1	of	2	Attorney Docket Number	20339/1202884-US1	

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	·
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	National Products, Inc. v. Gamber-Johnson, LLC, Civil Docket Sheet, U.S.D.C. Western District of Washington, Case No: 04-CV-02524-MJP.	
	СВ	First Amended Complaint, dated April 7, 2005. (w/Exhibits 1-2).	
	СС	Defendant Gamber-Johnson, LLC's Amended Answer and Counterclaims, dated April 25, 2005.	
	CD	Reply to Counterclaims, dated May 9, 2005.	
	CE	Plaintiff's Amended Disclosure of Asserted Claims and Preliminary Infringement Contentions, dated October 14, 2005. (w/Appendix A).	
	CF	Gamber Johnson LLC's Disclosure of Preliminary Invalidity Contentions, dated October 24, 2005. (w/Appendices I-II and Exhibits A-E (Exhibit D Redacted to remove Gamber-Johnson's Confidential Information)).	
	CG	Gamber-Johnson LLC's Prehearing Statement, dated January 3, 2006. (w/Appendices I-II).	
	СН	Plaintiff's Prehearing Statement, dated January 3, 2006. (w/Exhibit A).	
	CI	Joint Claim Chart, dated January 3, 2006.	
	CJ	NPI's Opening Claim Construction Brief (Redacted Defendant Gamber-Johnson's Confidential Information), dated January 17, 2006. (w/Appendix A).	
	CK	Declaration of Robert L. Jacobson in Support of NPI's Opening Claim Construction Brief, dated January 17, 2006. (w/Exhibits A-G (Redacted Defendant Gamber-Johnson's Confidential Information)).	
	CL	Gamber-Johnson LLC's Claim Interpretation Brief, dated January 17, 2006. (w/Appendices I-IV).	
	СМ	Declaration of Andrew M. Ollis in Support of Gamber Johnson LLC's Claim Interpretation Brief, dated January 17, 2006. (w/Exhibits A-I).	
	CN	Submission of the First Amended Joint Claim Chart, dated January 27, 2006.	
	СО	NPI's Responsive Claim Construction Brief, dated January 30, 2006.	

Examiner	Date
Signature	Considered

PTO/SB/08A/B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sut	ostitute for form 1449/PTO			Complete if Known		
				Application Number	09/733,691-Conf. #3233	
11	NFORMATION	1 DI	SCLOSURE	Filing Date	December 7, 2000	
l s	TATEMENT B	3Y /	APPLICANT	First Named Inventor	Jeffrey D. Carnevali	
				Art Unit	3632	
	(Use as many sh	eets as	necessary)	Examiner Name	G. W. Baxter	
Sheet	2	of	2	Attorney Docket Number	20339/1202884-US1	

СР	Gamber Johnson LLC's Rebuttal Claim Interpretation Brief, dated January 30, 2006.	
CQ	Order on Claim Construction, dated February 27, 2006.	
CR	Defendant Gamber-Johnson LLC's Third Motion for Partial Summary Judgment of Invalidity (Obviousness) of Claims 30, 35 & 36, of U.S. Patent No. 5,845,885, dated April 20, 2006. (w/Appendices I-IV).	
cs	Defendant Gamber-Johnson LLC's Second Motion for Partial Summary Judgment of Non-Infringement of Claim 30 of U.S. Patent No. 5,845,885, dated April 20, 2006.	
СТ	Plaintiff's Opposition to Defendant's Second Motion for Partial Summary Judgment of Non- Infringement of Claim 30 of U.S. Patent No. 5,845,885, dated May 30, 2006.	
CU	Declaration of Lee A. Swanger, PH.D., P.E., in Support of Plaintiff's Opposition to Defendant's Second Motion for Partial Summary Judgment of Non-Infringement of Claim 30 of U.S. Patent No. 5,845,885, dated May 30, 2006.	
CV	Plaintiff's Opposition to Defendant's Third Motion for Partial Summary Judgment of Invalidity (Obviousness) of Claims 30, 35 & 36, of U.S. Patent No. 5,845,885 (Confidential Information regarding secondary considerations has been redacted), dated May 30, 2006.	
cw	Declaration of Lee A. Swanger, PH.D., P.E., in Support of Plaintiff's Opposition to Defendant's Motion for Partial Summary Judgment of Invalidity (Obviousness) of Claims 30, 35 & 36, of U.S. Patent No. 5,845,885, dated May 30, 2006.	
СХ	Defendant's Fourth Motion for Partial Summary Judgment of Non-Infringement of Claims 30, 35, and 36 of U.S. Patent No. 5, 845,885, dated June 7, 2006.	
CY	Defendant's Reply to Plaintiff's Opposition to Defendant's Third Motion for Partial Summary Judgment of Invalidity (Obviousness) of Claims 30, 35 & 36 of U.S. Patent No. 5,845,885, dated June 8, 2006.	
CZ	NPI's Opposition to Gamber's Fourth Motion for Partial Summary Judgment of Non-Infringement and Cross-Motion to Exclude Untimely Non-Infringement Contentions (Redacted Defendant Gamber-Johnson's Confidential Information), dated June 26, 2006.	
CA1	Declaration of Lee A. Swanger, PH.D., P.E., in Support of Plaintiff's Opposition to Defendant's Fourth Motion for Partial Summary Judgment of Non-Infringement and Cross-Motion to Exclude Untimely Non-Infringement Contentions, dated June 23, 2006.	
CB1	Gamber-Johnson LLC's Reply to NPI's Opposition to Gamber's Fourth Motion for Partial Summary Judgment of Non-Infringement and Response to Cross-Motion to Exclude Untimely Non-Infringement Contentions, dated June 30, 2006.	
CC1	Amended Consent Judgment, dated September 29, 2006.	
CD1	Expert Report of Lee A. Swanger, PH.D., P.E., dated April 5, 2006. (w/Exhibits 1-10).	
CE1	Expert Report of Robert H. Sturges, Ph.D., P.E., Concerning the Invalidity of Claims 30, 35 & 36 of U.S. Patent No. 5,845,885, dated April 5, 2006. (w/Appendices I-III).	
CF1	Rebuttal Expert Report of Lee A. Swanger, PH.D., P.E., dated May 5, 2006. (w/Exhibit 1).	
CG1	Rebuttal Expert Report of Robert H. Sturges, Ph.D., P.E., Concerning the Non-Infringement of Claims 30, 35 & 36 of U.S. Patent No. 5,845,885, dated May 5, 2006. (w/Exhibits A-D).	
CH1	Deposition Transcript of Lee A. Swanger, dated June 5, 2006.	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). 2Applicant is to place a check mark here if English language Translation is attached.

Examiner	Date
Signature	Considered

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